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17 U.S. SPECIALTY INSURANCE COMPANY

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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

21

PETER KLEIDMAN,

Case No. 4:22-cv-06355-HSG

22

Plaintiff,

**STIPULATION AND ORDER FOR
BRIEFING SCHEDULE ON U.S.
SPECIALTY'S MOTION FOR
SANCTIONS PURSUANT TO RULE 11
AND TO CONTINUE HEARING ON
SAME MOTION UNTIL JUNE 22, 2023
(as modified)**

23

v.

24

JONATHAN GASKIN; et al.

25

Defendants.

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Complaint Filed: October 21, 2022

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28 Pursuant to Civil Local Rule 6-2, by and through their respective attorneys of record,
29 Plaintiff PETER KLEIDMAN ("Plaintiff") and Defendants JONATHAN GASKIN, BERNIE
30 MURPHY, MICHAEL MAIDY, TIMOTHY COX, MARTIN PICHINSON, SHERWOOD
31 PARTNERS, INC, U.S. SPECIALTY INSURANCE COMPANY and LESLIE QUIST (the
32 "Initial Defendants"), hereby stipulate and request that the Court enter a briefing schedule on U.S.
33 Specialty's Motion for Sanctions Pursuant to Rule 11 (ECF No. 60), and continue the hearing on
34 the same motion by seven (7) days until June 22, 2023, as follows:
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STIPULATION

WHEREAS, on March 20, 2023, Defendant U.S. Specialty filed its Motion for Sanctions Pursuant to Rule 11 (ECF No. 60);

WHEREAS, under the current briefing schedule for that Motion, plaintiff's opposition is due by April 3, 2023 and any reply in support is due by April 10, 2023 (ECF No. 62);

WHEREAS, the parties conferred regarding this briefing schedule, and plaintiff Kleidman advised that he has two briefs due in the United States Court of Appeals for the Ninth Circuit in early April and requested that the parties stipulate that his opposition to the Motion be due on April 24 and the Initial Defendants' reply would be due on May 15;

10 WHEREAS, the only other extensions of time in this case were the stipulated extensions of
11 the deadline for Initial Defendants to answer, move or otherwise respond to the Complaint (ECF
12 Nos. 19, 21), an extension of time for Plaintiff to respond to the motion requesting that he be
13 declared a vexatious litigant (ECF No. 41), and the stipulated extension of the deadline for the
14 Initial Defendants to respond to the First Amended Complaint (ECF No. 54);

15 WHEREAS, the above requested extension would not affect the current June 15 hearing
16 date on the Motion or any other dates in this case;

17 WHEREAS, the Motion for Sanctions substantially overlaps with Defendants' Motion to
18 Declare Peter Kleidman a Vexatious Litigant (ECF Nos. 25, 28, 37, 57), which is set for hearing
19 on June 22, 2023;

20 WHEREAS, the parties agree that the Motion for Sanctions and Vexatious Litigant Motion
21 should be heard on the same day, on either June 22, 2023 (which was listed as a closed hearing
22 date when U.S. Specialty filed the Motion for Sanctions) or alternatively on June 15, 2023;

23 NOW, THEREFORE, based on the foregoing, the parties hereby stipulate and move the
24 Court for an order extending the deadline for Plaintiff to respond to the Motion by twenty-one
25 days (21) days, to April 24, 2023; extending Defendants' deadline to reply to Plaintiff's opposition
26 by fourteen (14) days to May 15, 2023 (for a total of 35 days); and either continuing the hearing
27 on the Motion for Sanctions until June 22, 2023 or alternatively re-scheduling the hearing on the
28 Vexatious Litigant Motion for June 15, 2023.

1 **IT IS SO STIPULATED, SUBJECT TO COURT APPROVAL.**

2 Dated: March 22, 2023

Respectfully submitted,

3 By: /s/ Joseph A. Bailey III

4 Alec H. Boyd
Joseph A. Bailey III (admitted pro hac vice)¹
CLYDE & CO US LLP

5 *Attorneys for Defendant
U.S. Specialty Insurance Company*

7 Dated: March 22, 2023

8 /s/ Peter Kleidman
Peter Kleidman
9 IN PRO PER

10 *Plaintiff*

11 Dated: March 22, 2023

12 /s/ Steve Kaufhold
Steve Kaufhold
KAUFHOLD GASKIN GALLAGHER LLP

13 *Attorney for Defendant Jonathan Gaskin*

14 Dated: March 22, 2023

15 /s/ Alan Martini
Alan Martini
16 SHEUERMAN, MARTINI, TABARI, ZENERE &
GARVIN, P.C.

17 *Attorney for Defendant Leslie Quist*

19 Dated: March 22, 2023

20 /s/ Matthew J. Olson
Matthew J. Olson
21 DORSEY & WHITNEY LLP

22 *Attorney for Sherwood Partners, LLC; Bernie
Murphy; Martin Pichinson; Michael Maidy;
Timothy Cox*

25 _____
26 ¹ Pursuant to Civil Local Rule 5-1, the filing attorney certifies that he or she has on file original
27 signatures (in the form of email authorizations) for any signatures indicated only with a conformed
signature.
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1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.** The hearing on the vexatious litigant
2 motion will be held on June 15, 2023 at 2:00 p.m. in Courtroom 2, 4th Floor, 1301 Clay Street,
3 Oakland, CA to be held along with the hearing on the motion for sanctions.

4 DATED: 3/22/2023
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7 The Honorable Haywood S. Gilliam, Jr.
8 United States District Judge
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